

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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|-----------------------------|---|----------------------|
| CHRISTOPHER D. FORAKER, | : | |
| | : | |
| Plaintiff, | : | |
| | : | C.A. No. 04-1207-GMS |
| v. | : | |
| | : | |
| L. AARON CHAFFINCH, et al., | : | |
| | : | |
| Defendants. | : | |

STIPULATION AND ORDER OF DISMISSAL

It is hereby STIPULATED and AGREED by and between Plaintiff Christopher D. Foraker and Defendants L. Aaron Chaffinch, Thomas F. MacLeish, Secretary David B. Mitchell of the Department of Safety and Homeland Security for the State of Delaware, the Department of Safety and Homeland Security for the State of Delaware, and the Division of State Police for the State of Delaware, pursuant to Rule 41 of the Federal Rules of Civil Procedure and the Settlement Agreement made effective as of October 9, 2006, subject to the approval of the Court, that this action is hereby dismissed, with prejudice, each party to bear its own costs and attorney fees.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this matter for the purpose of enforcing the Settlement Agreement entered into by the parties in this matter on October 9, 2006, which document is incorporated herein by reference. The Court will retain jurisdiction through March 27, 2007.

Dated: October 10, 2006

Dated: October 10, 2006

/s/ Stephen J. Neuberger

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Counsel for Defendants

It is so Ordered this _____ day of _____, 2006.

U.S.D.J.

CERTIFICATE OF E-SERVICE

I, Richard M. Donaldson, hereby certify that on the 10th day of October 2006, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following:

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